

**MINUTES  
EAST FORK OF VIRGIN WATER USERS MEETING  
23 FEBRUARY 1995  
10:00 AM**

The meeting was called to order by Lee Sim, Assistant State Engineer for Distribution. A brief discussion was held regarding the responsibility of the officers of the water users group to conduct their annual meetings and keep minutes of those meetings. Since the officers present were not prepared to take up those responsibilities on such short notice, it was determined that Mr. Sim would conduct the meeting this year, but the officers would have those responsibilities at future meetings.

The minutes of the 1994 meeting were read by Kerry Carpenter. Sharon Lamb made a motion to accept the minutes, seconded by Norm Carroll, and approved.

Lee Sim read the current financial report. Norm Carroll made a motion to accept the report, seconded by C.F. Cleveland, and approved.

Distribution Commissioner Gerry Hoyt presented his annual report to the group. Discussion of the report included comments related to Gerry's calculation of total acre-foot diversion figures from the measured flows. Gerry stated that he will include the diversion calculations in future reports. There was also a discussion of problems with certain (unnamed) persons who were adjusting various diversion structures without the knowledge or consent of the Commissioner. DeMoin Sorenson described a situation in which he was shorted on a significant amount of water and lost some new hay as a result. He asked if the Commissioner could be authorized by the group to deliver "make-up" water if he becomes aware of such a problem. It was concluded that Gerry could take such actions if an equitable delivery could be arranged without interfering with other water users.

C.F. Cleveland made a motion that the group reaffirm the Commissioner's authority and the group's trust in him to regulate and deliver the waters of the system. The motion was seconded by Jim Varney and approved.

Cleve Esplin made a motion to accept the Commissioner's Report, seconded by C.F. Cleveland, and approved.

The next matter of business was the setting of the budget and assessment for the 1995 irrigation season. Norm Carroll made a motion to adopt a budget and assessment identical to the 1994 figures except with a \$200 budget item to allow the Commissioner to attend the annual Commissioners' Seminar. This motion would set the budget total at \$2000 and the assessment total at \$1400. The motion was seconded by Cleve Esplin and approved by the group.

A motion was made by C.F. Cleveland to recommend Commissioner Gerry Hoyt be re-appointed. Cleve Esplin seconded the motion and it was approved.

A discussion ensued regarding prior requests from the water users to the Regional Office of the Division of Water Rights to make an adjustment in certain entries in the Proposed Determination of Water Rights for the East Fork/North Fork ("red book"). It was determined that although there had been several verbal requests and responses, there was no written record of same. The group was advised that such a request needed to be submitted in writing and answered in writing in order to create a legal record of the transaction. Without formal motion, the group indicated that a written request would be prepared and submitted.

*[At this point, Jim Varney asked if Mr. Sim and Mr. Carpenter would please leave the room and allow the group to conduct some internal business. There may or may not be any record of that discussion.]*

When the meeting continued, a motion was offered by C.F. Cleveland to retain all current officers of the group, to add Earl Sorenson as a member of the Board, and to appoint John Reese as Secretary. The motion was seconded by Jim Varney and passed.

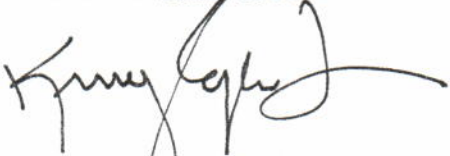
As a final matter of business, Jim Varney addressed those present regarding some planned erosion control work on the lower MacDonald property near Black Rock Canyon.

The meeting was adjourned.

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These minutes prepared from notes taken by Kerry Carpenter and may or may not be consistent with notes or recollections of others present. They are offered only as tentative record of the meeting subject to approval of the water users group. An attendance roll was taken but is not in my possession.

Dated: 2 June 1995



Kerry Carpenter, P.E.  
Regional Engineer

pc: John Reese/P.O. Box 5502/MT.CARMEL UT 84755  
Lee Sim (for distribution as deemed appropriate)